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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/386,330	08/30/1999	ATSUSHI OKADA	862.3001	1300

5514 7590 06/12/2002

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EXAMINER

BONDERER, DAVID A

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 06/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/386,330

Applicant(s)

OKADA ET AL.

Examiner

D. Austin Bonderer

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2-4 and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Claim 12 recites the limitation "the group of requesters" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.

4. In re claims 2 and 11, it is not clear as to what the Applicant claiming according to the term "comprises requester group setting means capable of setting a desired requester group different from the group of requesters for which approval or rejection of purchase is to be determined [.]"

5. In re claims 4 and 13, it is not clear as to what the Applicant is trying to define with the term "the input information and specific information associated with a person who has set the desired requester group by said requester group setting means [.]"

In light of the above informalities, the claims have been examined as could best be understood by the examiner. The examiner's failure to apply prior art to any of the claims should not be construed as an indication of allowable subject matter.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1, 4, 6-10, and 13-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Wichea.

Wichea discloses a system for ordering items over a computer network using an electronic catalog comprising:

- A display means for displaying the information;
- A database with pre-approved catalogs for the user;
- A purchase approving means capable of storage of approval or rejection;
- A user is notified of notified of price changes;
- Inputting the information about the wanted item;
- List of approvers;
- The deleting of a line item once an order has been placed with the vendor;
- Uses an internet browser on the client terminal;
- Uses an intranet; and
- Program code.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 3, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wichea in view of Langhans et al.

Wichea lacks a group identifier. Langhans teaches the use of a division identifier. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wichea with a division identifier as taught by Langhans in order to facilitate the approval process. It behooves the approver to know what the requester does in order to determine if the request pertains to the work of the requester.

10. Claims 2, 3, 4, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wichea in view of Barnes et al.

Barnes discloses purchasing control system comprising:

- A hierarchical structure identifier;
- Means to adjust the hierarchy;
- Department adjuster;
- Level of “authorization defining pre-selected goods/services that the user has available for viewing from said supplied catalog”; and
- Users having access to different areas depending on the tasks they perform.

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Wichea lacks the explicit disclosure of:

- o The ranking of employees, and
- o The determining the catalog based on the ranking.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wichea with the means to rank employees as taught by Barnes in order to determine the who the employee to aid the approver in approving the request or not.

This is also an obvious design choice for several reasons. The most important being you want to know who is ordering the goods/services so as to decide if they need them.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Wichea with the limiting of the catalog for certain users as taught by Barnes in order to save time. Why show a user something that one, they don't need and two, they cannot have. It would just waste time to do so.

Information Disclosure Statement

11. The information disclosure statement filed 2-17-00 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

12. Also the file specifies that another IDS was filed on 2-22-01. That IDS is not with the file and the Examiner would like confirmation that an IDS was filed on that date.

Oath/Declaration

13. The Oath/Declaration lacks the required signatures. Appropriate correction is needed.

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Information Disclosure Statement


14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. King Jr. et al. discloses a system for ordering items using an electronic catalog.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Austin Bonderer whose telephone number is 703.306.5911. The examiner can normally be reached on Monday- Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W Coggins can be reached on 703.308.1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703.305.7687 for regular communications and 703.305.7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.308.113.

dab 
June 5, 2002


WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600